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REMARKS**STATUS**

Claims 1, 2, 4-7, 9-15, 18-24 and 34 remain pending in this application..

Claims 1-22 and 24 were rejected under 35 USC 103 as being unpatentable over Tracker (designated via NPL URL).

Claim 23 was rejected under 35 USC 103 as being unpatentable over Tracker, as applied to claim 13, in further view of Brockwell (US 5,063,506).

Claim 34 was rejected under 35 USC 103 as being unpatentable over Tracker in further view of Denzler (designated via NPL URL).

Applicant's Arguments

This invention relates in general to methods for managing tool inventories and more particularly in one embodiment to a method for centrally controlling and tracking discrete inventories of tools housed at one or more tool depots where each depot may serve a plurality of remote job sites and where each inventory of tools is used to perform service activities at one or more of the remote job sites.

With regard to the 35 USC 103(a) rejection of claims 1-22 and 24 as being unpatentable over Tracker:

Applicant traverses the Examiner's position that:

"Tracker on page 14, paragraph [2] discloses that Tracker's PO tracking system also adds to stock. Therefore, Examiner "adding to stock" is a clear indicator that the Tracker's PO tracking system is coupled to the tool inventory, therefore Examiner maintains that the Claims 1-22, 24 and 23 (dependent on Claim 13) are properly rejected and remain rejected" fails to consider all the limitations of the relevant claims. "

Further, the Examiner's consideration of applicant's statements which, in part, provided "In fact, there is no coupling of the purchase order system to the tool inventory system in Tracker, but rather, the purchase order" appears to have been

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taken out of context from Applicant's remaining arguments and therefore Applicant traverses the Examiner's arguments.

With respect to the claim limitations, Applicant respectfully requests the Examiner review wherein the claimed method of claim 1 includes, in relevant part, *creating an electronic tool order, checking the database in response to receipt of the electronic tool order, and creating a purchase order document for a tool in the event the step of checking identifies the status of the tool as unavailable*. In claim 13, similar limitations include *communicating over the communications medium an order for a set of tools to a tool depot, creating an electronic purchase order document for the purchase of at least one tool, and wherein the electronic purchase order document is created in response to the order for the set of tools in the event at least one of the tools ordered is not available from the inventory of tools*.

The above referenced claim limitations clearly present the pro-active decision making of the method of the instant invention as well as an output based on the decision-making process. The method of instant invention requires determining if a tool is available from inventory and if not then creating a purchase order for the tool in response to the tool being unavailable.

The Examiner's assertion that since Tracker indicates its PO tracking system is coupled to the "add to stock" feature it therefore presents the claimed limitations is not support by the disclosure of Tracker.

Tracker teaches that it's "Add to stock":

"... adds to the quantity of a ***non-unique*** item ***already in storage***. The Tracker's PO ***tracking*** system also adds to stock" [emphasis added].

The "Add to stock" function is clearly disclosed as modifying the quantity of non-unique items already in the storage. In contrast, the limitations of the instant invention are directed at creating a purchase order based solely on whether or not the request tool is available, and does not consider whether the tool is non-unique or whether the item is already in storage. In fact, if the item were ***already in storage***, the method of the instant invention would not generate a purchase order.

Tracker's PO tracking system is expressly disclosed as allowing users to:

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"track receipts against purchase orders. It isn't a full-blown purchase order management system, rather a more capable version of the Add to stock function. Once a PO is entered in the Tracker, it can be received against. Partial receipts are noted and retained in the 'open purchase order' file. "

Tracker's description of it's PO Tracking system does not teach determining if a tool is available from inventory and if not then creating a purchase order for the tool in response to the tool being unavailable.

Further, since Tracker expressly indicates it isn't a "full-blown" purchase order management system, Applicant asserts it is improper to infer system capabilities and operation beyond what has been clearly taught by the reference since the reference itself states it's capabilities are limited. Specifically Applicant asserts it is improper for the Examiner to enhance the PO Tracking functions of Tracker to suggest it provides the method of the instant invention including determining if a tool is available from inventory and if not then creating a purchase order for the tool in response to the tool being unavailable.

With respect to the proper context of Applicant's previous argument, Applicant previously asserted (and reasserts herein), there is no coupling of the purchase ***function*** and the tool inventory system in Tracker with specific regards to the function of generating the purchase order. The purchase function, as presented by the Applicant and as provided in the claim limitations provides for *creating a purchase order document for a tool in the event the step of checking identifies the status of the tool as unavailable*. Applicant, by way of example in the prior Office Action Response letter, attempted to demonstrate the purchase order process of Tracker relies on manually entering purchase order requests but does not provide the data processing method of the instant invention including determining if a tool is available from inventory and if not then creating a purchase order for the tool in response to the tool being unavailable.

Thus within the above context and as provided in the claim limitations, there is no coupling of the purchase ***function*** and the tool inventory function in Tracker that is equivalent to the instant invention, contrary to the Examiner's assertion, and therefore no *prima facie* case for obviousness has been established.

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With regard to the 35 USC 103(a) rejection of claim 23 as being unpatentable over Tracker as applied to claim 13, in view of Brockwell et al.:

Where independent claim 13 is allowable for the above reasons, claim 23 is also allowable.

With regard to the 35 USC 103(a) rejection of claim 34 as being unpatentable over Tracker in further view of Denzler:

Applicant traverses the Examiner's application of Denzler to claim 34 for the below reasons.

Independent claim 34, in relevant part, recites "in the event that the first tool order and the second tool order request a same item, assigning priority in the data processing system to the first tool order over the second tool order in response to the identification of the forced outage at the second power plant."

The Examiner has applied the Non-Patent Literature reference of Denzler by asserting, in relevant part:

"Denzler discloses a First Come First Serve dispatching rule to more complex priority based rules and recommends that scheduling priorities be based on the strategic planning process decided when it set performance metrics for the system. Therefore, it would have been obvious to one of ordinary skill in the art to modify Tracker's Tool Inventory System with priority features disclosed by Denzler based on the requirements of a particular customer in order to better serve a customer's strategic mission."

The teachings of Denzler relate generally to business management processes (see page 100) and broadly addresses prioritizing scheduled activities such as coordinating tool usage during scheduled maintenance activities. The instant application provides a method for managing tool usage at a power plant during unscheduled events such as a "forced outage". The "forced outage" (an unplanned maintenance event - see page 11, lines 6-9) is distinguishable from a scheduled maintenance activity and the "forced outage" is assigned priority usage of the tools over the scheduled maintenance activity. Denzler's focus on planning the customer's

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strategic mission does not address the problem wherein the scheduled maintenance activities are interrupted by an unplanned maintenance event such as a "forced outage". Further, Denzler does not address assigning priority in a data processing system to a first tool order over a second tool order in response to the identification of a forced outage.

Applicant reasserts the previous arguments of Applicant's communications, as applicable.

Reconsideration of the application in light of the above Remarks and allowance of claims 1, 2, 4-7, 9-15, 18-24 and 34 are respectfully requested.

Respectfully submitted,



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